

Mailed January 7, 1999



# Public Service Commission of Wisconsin

Ave M. Bie, Chairperson  
Joseph P. Mettner, Commissioner  
John H. Farrow, Commissioner

610 North Whitney Way  
P.O. Box 7854  
Madison, WI 53707-7854

Mr. Jayme Van Campenhout  
Wisconsin Public Service Corporation  
P.O. Box 19001  
Green Bay, WI 54307-9001

Re: Application of Wisconsin Public Service Corporation for Authority  
to Construct and Place in Service a 9 MW Low Wind Speed  
Turbine Facility, Located in the Town of Lincoln, Kewaunee  
County, Wisconsin

6690-CE-179

Dear Mr. Van Campenhout:

The Public Service Commission of Wisconsin (Commission) on September 21, 1998, received an application from Wisconsin Public Service Corporation (WPSC), as an electric public utility, pursuant to Wis. Stat. § 196.49 and Wis. Admin. Code ch. PSC 112. The application sought authority to construct and place into operation a 9.24 MW wind farm located in the town of Lincoln, Kewaunee County, at an estimated cost of \$10,250,000.

At its December 22, 1998, open meeting, the Commission approved this application and finds the following facts appearing in the Commission staff's memorandum in this case.

The project is the construction and the placing in operation of a 9.24 MW wind farm consisting of 14 Vestas V-47 wind turbines located in the Town of Lincoln, Kewaunee County.

The project will be financed during construction through internally generated cash flow and short-term debt and following construction restructured to reflect the company's weighted capital structure.

Environmental concerns are potential avian mortality resulting from bird collision with turbine blades and towers and a field reconnaissance for endangered invertebrates recommendation by the DNR.

WPSC started construction of this project before December 22, 1998.

The Commission concludes the general public interest and public convenience and necessity require that WPSC proceed with the project as described in its application.

The Commission concludes that the project will not provide facilities unreasonably in excess of probable future requirements and will not increase the cost of service without proportionately increasing the value or available quantity and quality of service.

The Commission finds that the construction of the proposed facilities is not expected to affect any historic properties under Wis. Stat. § 44.40.

After reviewing the proposed project for potential flood hazards, the project was found to present no significant flood risk to the project per Executive Order 73.

The Commission, therefore, authorizes WPSC to construct, install, and place in operation the generating facilities described in its application at an estimated cost of \$10,250,000 subject to the following conditions:

1. This determination is for authority to install and place in operation, 14 Vestas V-47 wind turbines at the project site described in the application. Should the scope, design, or location of the project change significantly, or if the expected cost exceeds that stated above by more than 10 percent, WPSC is directed to promptly notify the Commission staff.
2. The date that the facility is placed in service shall be submitted to the Commission.
3. WPSC shall cooperate with MGE, Commission staff, and other stakeholders in the ongoing avian studies as described in the Commission's October 23, 1998, letter order for MGE's wind energy project (3270-CE-120). WPSC shall share the costs for these studies with MGE. Because expansion of the studies will be required to accommodate the WPSC project, the total cost incurred for the avian studies subsequent to this order shall be limited to \$200,000 plus 40 percent (\$280,000), subject to review by the Commission.
4. A field reconnaissance for endangered mollusks, as recommended by the Department of Natural Resources (DNR), shall be conducted at the approved project site. This reconnaissance shall be completed no later than 60 days after the date of this order.
5. If archeological artifacts or human burial remains are discovered on the site during construction, the utility shall notify immediately both the State Historical Society of Wisconsin and the Commission.
6. Erosion control shall be employed to prevent soil erosion consistent with the DNR's Best Management Practices for Water Quality.
7. Cost recovery for construction work completed prior to Commission approval of this application in violation of Wis. Stats. § 196.49(2) and Wis. Admin. Code § PSC 112.05(1) is denied. The value of this work is estimated to be \$73,248. WPSC shall inform the Commission of such costs and be prepared to verify the costs on request.
8. This authorization is valid only if this project is started within one year of the date of this order, subject to reopening upon a showing of good cause by the utility.
9. Final actual costs segregated by major accounts shall be submitted to the Commission within one year after the in-service date. For those accounts or categories where actual costs deviate significantly from those authorized, the final cost report shall itemize and explain the reasons for such deviations.

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The Commission gives notice that expenses, which are reasonably attributed to the investigation of this application, will be assessed against and collected from the utility as Wis. Stat. § 196.85 and Wis. Admin. Code ch. PSC 5 authorizes.

Dated at Madison, Wisconsin, \_\_\_\_\_

By the Commission:

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Lynda L. Dorr  
Secretary to the Commission

LLD:PCH:ash:G:\Letter Orders\Pending\6690-CE-179

Attachment

cc: Records Management, PSCW  
Paul C. Helgeson, PSCW  
Barb Pickhardt, PSCW

See attached Notice of Appeal Rights.

Notice of Appeal Rights

Notice is hereby given that a person aggrieved by the foregoing decision has the right to file a petition for judicial review as provided in Wis. Stat. § 227.53. The petition must be filed within 30 days after the date of mailing of this decision. That date is shown on the first page. If there is no date on the first page, the date of mailing is shown immediately above the signature line. The Public Service Commission of Wisconsin must be named as respondent in the petition for judicial review.

Notice is further given that, if the foregoing decision is an order following a proceeding which is a contested case as defined in Wis. Stat. § 227.01(3), a person aggrieved by the order has the further right to file one petition for rehearing as provided in Wis. Stat. § 227.49. The petition must be filed within 20 days of the date of mailing of this decision.

If this decision is an order after rehearing, a person aggrieved who wishes to appeal must seek judicial review rather than rehearing. A second petition for rehearing is not an option.

This general notice is for the purpose of ensuring compliance with Wis. Stat. § 227.48(2), and does not constitute a conclusion or admission that any particular party or person is necessarily aggrieved or that any particular decision or order is final or judicially reviewable.

Revised 9/28/98

MR JAYME VAN CAMPENHOUT  
WISCONSIN PUBLIC SERVICE CORPORATION  
PO BOX 19001  
GREEN BAY WI 54307-9001

DOCKET 6690-CE-179  
RECORDS MANAGEMENT  
PUBLIC SERVICE COMMISSION OF WISCONSIN  
PO BOX 7854  
MADISON WI 53707-7854